

**BLET REVISION COMMITTEE
MEETING MINUTES
January 12, 2018
North Carolina Justice Academy
Salemberg, NC**

Jennifer Fisher called the meeting to order at 10:00 a.m. and thanked everyone for attending the January 12, 2018 BLET Revision Committee meeting. Director Trevor Allen welcomed members and guests. Janet Dunn conducted a formal roll call. A quorum was present. Due to committee member changes, Mrs. Fisher asked that each member introduce themselves and their agency. Mrs. Fisher recognized guests in attendance and asked that they introduce themselves.

Members Present:

Rick Barney, Craven Community College
Shane Manuel, North Carolina State Highway Patrol (Represented by Captain Joseph Cotton)
Billy Kelly, Rockingham Police Department
Aaron Vassey, Cleveland Community College
Steve Warren, Western Piedmont Community College
Sammy Turner, Brunswick County Sheriff's Office
Richard Tullis, Asheville Police Department
Jon Gregory, Wake Technical Community College
Kelly Blackwelder, Town of Elon Police Department
Wayne Lamm, Nash Community College
Randy Shepherd, Guilford County Sheriff's Office

Ex-Officio Members Present:

Steve Combs, CJ Standards Division
Charminique Williams, CJ Standards Division
Autumn Hanna, Sheriffs' Standards Division
Marie Evitt, NC Department of Justice

Ex-Officio Members Absent:

Michelle Schilling, CJ Standards Division
Chris Scott, Sheriffs' Standards Division
Diane Konopka, Sheriffs' Standards Division

Staff Present:

Trevor Allen, NC Justice Academy
Jennifer Fisher, NC Justice Academy
Janet Dunn, NC Justice Academy
Tony Losada, NC Justice Academy
Gary Dudley, NC Justice Academy
Susan Gillis, NC Justice Academy

Guest Present:

Rocky Nance, Brunswick County Sheriff's Office
Tracy McPherson, North Carolina Community College System

OLD BUSINESS

➤ Approval of October 13, 2017 meeting minutes

Members were afforded an opportunity to review the minutes from the October 13, 2017 meeting. Aaron Vassey made the **motion** to accept the minutes as written. Sammy Turner **seconded**. No further discussion. **Motion carried.**

➤ Curriculum Revisions

A disc containing the first five (5) lesson plans to include handouts under revision for the July 2018 revision cycle were mailed to the members two weeks in advance of the meeting.

Communication Skills for Law Enforcement Officers: Proposed revisions were provided on the disc mailed to members prior to the meeting. Additional changes were made after the disc was mailed. Those pages containing additional changes were provided to members for review:

- Page 1: Training objective #1 – the word “while” was added – “... **while** utilizing voice...”
- Page 34: (2) – “Open hands/arms acceptance” has been removed
- Page 53: 2. Paragraph that begins, “This next section includes ...” was added.
- Page 54: (1) the word “Hispanic offenders” has been changed to “Latino offenders” in both places within that paragraph. Latino is a broader term.
- Page 22: (2) – Typographical: “... conflict is the first step to getting **in** under control” should read, “... conflict is the first step to getting **it** under control.”

Sammy Turner made a **motion** to accept the revisions as presented to include the additional presented revisions. Wayne Lamm **seconded**. No further discussion. **Motion carried.**

Techniques of Traffic Law Enforcement: Proposed revisions were provided on the disc mailed to members prior to the meeting. Mr. Gary Dudley provided an overview of the revisions that were made throughout the lesson plan.

Extensive discussions ensued over content found on page 74, c) regarding the approach and the possibility of creating a cross-fire situation. Presented material read as follows:

“c) When the ~~cuffing~~ **secondary** officer reaches the rear of the suspect vehicle, the officer ~~should~~ **may** attempt to make some noise on the left side of the suspect vehicle using a ~~night stick~~ **collapsible baton** or rock, etc.

In making this noise on the left side of the vehicle ~~you are~~ **the cuffing officer is** trying to make the offender look towards ~~that~~ **the left** side of the vehicle as ~~you~~ **secondary officer** looks in the vehicle from the right side. **The officer also has the option of using the element of surprise by not making any noise at all, rather than letting any possible suspect know you are at the rear of the vehicle.”**

Members agreed that the language should be changed for clarity and to eliminate a potential cross-fire situation. The language was changed (shown in **blue**) to read as follows:

“c) When the ~~cuffing~~ **secondary** officer reaches the rear of the suspect vehicle, the officer ~~should~~ **may** attempt to make some **distracting** noise

on the left side of the suspect vehicle. ~~using a night stick collapsible baton or rock, etc.~~

In making this noise on the left side of the vehicle ~~you are~~ the ~~cuffing~~ ~~secondary officer~~ is trying to make the offender look towards ~~that the~~ left side of the vehicle as ~~you~~ the secondary officer looks in the vehicle from the right side. The officer also has the option of using the element of surprise by not making any noise at all, rather than letting any possible suspect know you are at the rear of the vehicle.”

- Page 15: 3rd paragraph, last sentence – ... the instructor shall place the information (the citation that has been done) into the officer’s permanent file. Concerns were expressed regarding instructors going into a student’s permanent file and feels that the information should be given to the school director and at his/her discretion places it in the file. Suggested that “the instructor” be changed to “the school director or his designee.” Mrs. Fisher asked for clarification to change the wording to “... the citation shall be placed in the student’s permanent file” without specifying who. Members were in agreement. Recommendation to check other blocks to ensure that this language is consistent throughout the curriculum.
- Page 71: f) (2) (2nd paragraph) – Discussions concerning having a driver step away two steps to his left, and using the right foot close the door of the suspect vehicle were held. Tactical-wise, there is another option that could be utilized which is discussed later in the lesson plan (found on page 77), where the person exits the vehicle, the door remains open, giving the tactical advantage to look inside the vehicle before getting to the vehicle.

Mrs. Fisher asked if members had a suggestion of how to better address this within the lesson plan. Members felt it best to duplicate the statement from page 77 as an optional tactic when stopping other regular types of vehicles different from vans, trucks, and sport utility stops: “The officers have the option of having the driver stop while backing toward the patrol vehicle to open rear doors, hatches and tailgates in order to provide more visibility to obscured spaces.” This tactic is added as an option and is not meant to replace the other types of techniques.

- Page 72: 6. a) – “... to walk backwards toward the patrol ...” add “... to walk backwards ~~keeping hands up~~ toward the patrol vehicle...” to reiterate what was previously stated on page 71.
- Page 73: f) – Clarification needed to identify if this is the suspect’s vehicle or patrol vehicle? “If the driver still has the keys, they could be placed on the trunk of the vehicle as the driver backs to the rear.” The statement should be changed to read, “If the driver still has the keys, they could be placed on the truck of the ~~violation~~’s vehicle as the driver backs to the rear.”
- Page 73: g) – Members questioned if suspect is the correct wording used in the sentence, “Once the suspect driver...” The word “suspect” should be removed entirely. So, the revised statement should read, “Once the driver has been secured, ask any questions that might assist in securing additional personnel.”

Sammy Turner made a **motion** to accept the revisions as presented to include revisions discussed during the meeting. Randy Shepherd **seconded**. No further discussion. **Motion carried**.

Revisited by Mr. Gary Dudley: There were two handouts included in the packet for the members' review; one version of the citations contained a "Proof" watermark, while the other version did not. The one version containing the "Proofing lines" will be removed.

Jon Gregory made a **motion** to accept the removal of the citation containing the "Proofing lines" watermark. Rick Barney **seconded**. **Motion carried.**

Explosives and Hazardous Materials Emergencies: Proposed revisions were provided on the disc mailed to members prior to the meeting.

- Page 26, i) – Routes of entry; however, slide note below it shows, "NOTE: Show slide, 'Routes of Exposure.'" Correct to "NOTE: Show slide, 'Routes of **Entry**.'"
- Page 36, h) – October 20, 2016 date is thought to be incorrect.
- Page 91, c) – Incendiary devices (IID) should actually read **Improvised incendiary devices**
- Page 98, 1. e) – "Any property moved should be done with extreme caution." Other areas of the lesson plan advise not to touch or move any items. For consistency recommended that this statement be moved or rewritten.

Mr. Dudley advised that this specific area is dealing with building searches and anything that might obscure the visual like a trash can. Members recommended rewording the sentence to read: "Any property **that must be** (to add bold and underline for emphasis) moved should be done with extreme caution."

- Page 102, H., 1st paragraph, 3rd sentence – "When extinguisher capabilities are no longer sufficient, a safe evacuation should take place." Evacuations of others should be first priority and evacuated as the extinguisher is being used.

Mr. Dudley clarified that the statement is referring to the operator of the fire extinguisher. However, clarification can be added. Therefore, after much discussion, members recommended that the sentence be rewritten to read: "When extinguisher capabilities are no longer sufficient, **the operator of the fire extinguisher should safely evacuate the area.**"

- Page 103: Would the material flow better to discuss the types of fires, then classes, and then operating the extinguisher? After members discussed the various ways to rearrange the material, it was determined that it would be left as currently written with the possibility of rearranging at a future date if determined to be necessary following material delivery.

Wayne Lamm made a **motion** to accept the revisions as presented. Sammy Turner **seconded**. No further discussion. **Motion carried.**

Preparing for Court and Testifying in Court: Proposed revisions were provided on the disc mailed to members prior to the meeting. An additional revision was made to page 15 of the lesson plan and was provided to members for review.

- Page 15, b) – Additional information was made to b) based upon legal review which reads: "A defendant may waive their right to a jury trial and allow the presiding judge to make the determination of whether the defendant is guilty or not guilty. Additionally, the fact that a waiver of a jury trial does not apply to cases where the State is seeking the death penalty."

Ms. Evitt advised that in sentence two, "Additionally, the fact that a waiver of a jury trial does not apply..." strike "the fact that" from the sentence so that it now reads: "A

defendant may waive their right to a jury trial and allow the presiding judge to make the determination of whether the defendant is guilty or not guilty. Additionally, ~~the fact that~~ a waiver of a jury trial does not apply to cases where the State is seeking the death penalty.”

- Page 39, c), 2nd sentence – “The services of the State Bureau of Investigation (S.B.I.) are available to all law enforcement agencies upon request of the sheriff or chief of police.” Generally the district attorney is involved in such a request.” Members agreed that there are more than sheriffs or chiefs of police, so the language was changed to read: “The services of the State Bureau of Investigation (S.B.I.) are available to all law enforcement agencies upon request of the ~~sheriff or chief of police~~ **agency head**.”

Members expressed concerns over no increase in lesson plan hours with the addition of so much new material and removing very little. Ms. Evitt commented that material found on pages 39 through 43 will be covered in greater detail in the Arrest, Search and Seizure block of instruction, however, that material is still under legal review. In the future, this material may be reduced in length and/or removed entirely from this block of instruction. Since this material is not very complicated or dense, she feels instructors will be able to cover the material rather quickly and does not feel that an increase in hours is needed.

Jon Gregory made a **motion** to accept the revisions as presented to include the additional revisions discussed. Aaron Vassey **seconded**. No further discussion. **Motion carried**.

Anti-Terrorism: Proposed revisions were provided on the disc mailed to members prior to the meeting. An additional revision was made to page 27 of the lesson plan and was provided to members for review.

- Page 27, (a) – added the bracketed word of “[non-citizens]”
- Page 59, (9) (a) last paragraph – “The mission of the TSC is ~~to consolidate and coordinate~~ the U.S. government’s approach to terrorist screening **database** ...” Determined the sentence is missing a verb and either “**consolidate**” or “**coordinate**” should remain. Members gave Mrs. Fisher the authority to determine the verb based upon source review.

Randy Shepherd made a **motion** to accept the proposed revisions as presented to include the addition of an appropriate verb (“consolidate,” “coordinate” based upon source review). Jon Gregory **seconded**. No further discussion. **Motion carried**.

DIVISIONS’ REPORTS

Criminal Justice Standards Division Report (Charminique Williams / Director Steve Combs)

Charminique Williams:

Ms. Williams provided a handout outlining the BLET Mental Illness pilot study. There were five questions to measure the training objectives and out of these five, there were two questions that needed to be replaced. The other three questions for Mental Illness were scored at a minimum of 80%.

Ms. Williams reported the hours to increase the Mental Illness block from eight (8) to twenty-four (24) hours has officially in Code. Also provided was a handout outlining the proposed changes to 12 NCAC 09B .0205 outline, moving “Controlled Substances” to the Legal Unit and “Preparing for Court and Testifying in Court” to the Law Enforcement Communication Unit. This will be voted on at the February 2018 meeting for implementation in July 2018.

Director Steve Combs:

Director Steve Combs advised that the Commission has approved moving forward with a job task analysis. Estimates have been received and Ms. Michelle Schilling is preparing the bid.

Sheriffs' Standards Division Report (Autumn Hanna)

Nothing to report.

Legal Counsel's Report (Marie Evitt)

Ms. Joy Strickland has left Department of Justice and assumed the position of Deputy General Counsel at NC SBI Lab.

Currently, there are approximately one-third of the BLET lesson plans outstanding and have either been sent back to the material experts or undergoing legal review at this time. Majority of those remaining are high liability, e.g., Firearms, Rapid Deployment, etc.

OTHER BUSINESS

Members expressed concerns over the amount of time it takes to complete the practical check-off sheets and how schools, especially the larger ones, would best be served by generically combining the safety forms into one form that could be added to the course orientation block.

Discussion was held concerning the archiving of student records. Director Allen reminded that the Commission has approved electronic storage of records, rather than keeping paper files, there is the discretion of saving things digitally as long as they are accessible to auditors. Director Combs has agreed to work with the Committee to develop a solution to bring before the Commission with regard to recordkeeping. Mr. Gregory currently electronically archives student records and has agreed to provide some guidance to committee members if interested.

2018 Meeting Dates/Locations

With the completion of the Brunswick County Sheriff's Office training facility, the April 13, 2018 meeting will be held at this new location; change is reflected below:

- April 13, 2018 @ Brunswick County Sheriff's Office, ~~Bolivia, NC~~ (new training facility, Federal Rd NW, Supply, NC 28462)
- July 13, 2018 @ Cleveland Community College, Shelby, NC
- October 12, 2018 @ NC Justice Academy, Edneyville, NC

Adjournment

Randy Shepherd made a **motion** that the meeting be adjourned. Wayne Lamm **seconded**. **Motion carried**. Meeting adjourned at 11:50 a.m.

Respectfully submitted,

Janet Dunn
Program Assistant
North Carolina Justice Academy

Date:

January 19, 2018